

Aerial Chemical Application Instructions

WAC 222-16-070, Chapter 222-38 WAC

NOTE: DNR will determine if each pesticide application is a Class IV Special and requires a State Environmental Policy Act (SEPA) Environmental Checklist. DNR will research the information detailed in the key in WAC 222-16-070.

Applicants can research most of this information themselves, by visiting the Washington State University Extension Service's website at: <http://wsprs.wsu.edu/index.html> and using the PICOL database search. The only information in the key that is missing from PICOL is the maps showing areas of ground water with a high susceptibility to contamination. These maps are only available at each region office. Applicants who wish to streamline their application processing are urged to research the information in the key and provide a SEPA checklist if the key indicates their application is a Class IV Special.

1. Landowner, Timber Owner, and Operator.

Print the name, address, and phone number of the landowner, timber owner, and operator. If they are the same, write "Same as Landowner" in the TIMBER OWNER and OPERATOR boxes. If the operator is unknown, write "Same as Landowner" in the OPERATOR box. Email addresses are optional. DNR will mail copies of the "Notice of Decision" to the landowner, timber owner, and operator.

2. Contact person

Print the name and phone number of the primary contact person. Email addresses are optional. This person will be contacted only when the FPA/N is processed. DNR will not send copies of the approval or disapproval to the contact person.

3. Are you substituting prescriptions from an approved state or federal conservation agreement or watershed analysis?

If "Yes", include a copy of the prescriptions and indicate which WAC's are being substituted. If you have prescriptions on file, please reference which prescriptions you will be using.

NOTE: If your land is within a Watershed Analysis Unit (WAU) you may have to follow the prescriptions from the WAU, instead of some of the forest practices rules. If you do not want to use the prescriptions, you may propose an alternate plan. This alternate plan will be a Class IV-Special and will require a State Environmental Checklist. Contact the DNR region office to see if your land is within an approved Watershed Analysis Unit (WAU) and if prescriptions apply.

References for Watershed Analysis:

- WAC 222-16-050 (1) (d) (iii) and Chapter 222-22 WAC
- Forest Practices Website: <http://www.dnr.wa.gov/forestpractices>

4. What is the legal description and county of your proposal?

Give a brief legal description of your proposed project. Enter the Sub-Division (e.g. SW $\frac{1}{4}$ of NW $\frac{1}{4}$), Section, Township, and Range (including East or West), and the county name. Tax parcel numbers are not required for aerial chemical projects.

Example:

($\frac{1}{4}$, $\frac{1}{4}$) quarter quarter	Section	Township	Range	East/West	County
pt NW $\frac{1}{4}$ NW $\frac{1}{4}$	14	22	08	W	Grays Harbor
S $\frac{1}{2}$, NW $\frac{1}{4}$	14	22	08	W	Grays Harbor

For further clarification on determining your legal description, see your Property Deed or contact the County Assessor's office.

5. Is this proposal? *(Answer every question)*

a. Within the city limits or an urban growth area?

If "Yes", include a SEPA Checklist or SEPA Determination or an approved 10-year management plan.

If you do not know if the property is located within a city or an urban growth area, contact your county planning department or assessor's office.

References: RCW 76.09.050(1) Class IV (d).

b. Within in a public park?

If "Yes", a SEPA Environmental Checklist or SEPA Determination is required.

References: WAC 222-16-050(1)(c).

c. Within 500 feet of a public park?

If "Yes", enter the name of the public park.

References: WAC 222-20-100(1).

d. On lands platted after January 1, 1960?

If it was platted after January 1, 1960 a SEPA Environmental Checklist or SEPA Determination is required.

If you do not know if the land was platted after January 1, 1960, call the county assessor.

References: RCW 76.09.050(1) Class IV (a) and chapter 58.17 RCW .

e. For an Alternate Plan?

If Yes, include a copy.

An alternate plan offers alternatives to certain Forest Practices rules. Requirements are detailed in WAC 222-12-040 and WAC 222-12-0401.

f. Using a chemical that is not registered or for a use that is not allowed under the label?

If Yes, include a copy of your Experimental Use Permit and a SEPA Environmental Checklist or SEPA Determination.

A Washington State Department of Agriculture Experimental Use Permit is required if you plan to use an unregistered chemical or if you want to use a chemical for a use that is not on the label. Contact the Department of Agriculture at <http://agr.wa.gov/PestFert/Pesticides> or at (360) 902-2093.

g. Applying a pesticide in a Type A or Type B Wetland?

If Yes, include a SEPA Checklist or SEPA Determination.

Reference: WAC 222-16-070 (2).

6. Chemical Information - see <http://wsprs.wsu.edu/index.html> for PICOL website

Type of Chemical - List if it is an herbicide, rodenticide, insecticide, fertilizer, or adjuvant

EPA Number - This is on the label and on the PICOL Website

Contiguous Acres Being Treated - If you are aerially spraying **pesticides** on 240 or more contiguous acres, you need to submit a SEPA Environmental Checklist or SEPA Determination.

Contiguous is defined in WAC 222-16-070(2) as

- Spray units closer than 300 feet; or
- Spray units with treatment dates within 90 days of each other.

Will You Spray Within 100 Feet of Agricultural Land? Show the buffers on your Activity Map.

If Yes, you have to leave a buffer strip.

The buffer for Pesticides is 100 foot buffer strip between your spray and the agricultural land. You don't have to leave this buffer if you own the agricultural land.

References:

- WAC 222-38-020 (4)(e) - pesticides
- WAC 222-38-030 (3) - fertilizers

Will You Spray Within 200 Feet of a Residence? Show the buffers on your Activity Map.

If Yes, you must leave a 200 foot buffer strip around the residence(s). You don't have to leave this buffer if you own the residence(s).

References:

- WAC 222-38-020 (4) - pesticides
- WAC 222-38-030 (3) - fertilizers

Will you Spray Within 100 Feet of Surface Water? Show the buffers on your Activity Map.

Pesticides: If you are spraying pesticides within 100 feet of a surface water that flows downstream into a municipal water intake or a fish hatchery intake - you may be required to submit a SEPA Environmental Checklist or a SEPA Determination. DNR will check databases and notify you.

Reference: WAC 222-16-070

Fertilizers: You must leave a buffer on all riparian management zones and wetland management zones. If you want to fertilize within these zones, you must do so by hand application.

Example:

Type of Chemical (Herbicide, rodenticide, insecticide, fertilizer)	EPA Number	Contiguous Acres Being Treated	Will You Spray Within 100 Feet of Agricultural Land?	Will You Spray Within 200 Feet of a Residence?	Will You Spray Within 100 Feet of Surface Water?
<i>herbicide</i>	<i>352-401</i>	<i>120</i>	<i>no</i>	<i>no</i>	<i>yes</i>
<i>fertilizer</i>	<i>none</i>	<i>100</i>	<i>yes</i>	<i>no</i>	<i>yes</i>

7. Have you reviewed this forest practices activity area to determine whether it may involve historic sites and/or Native American cultural resources? Read the instructions before answering this question.

DNR will review your application to determine whether it may involve Native American cultural resources. If it does, you are required to meet with the affected tribe or tribes with the objective of agreeing on a plan for protection of the archaeological or cultural value.

If you know or are unsure that your application involves Native American cultural resources, you are encouraged to contact the affected tribe or tribes as soon as possible. If the activity meets any of the criteria below it is recommended that the landowner consult with the affected Indian Tribe(s) as to possible impacts before submittal of the FPA/N.

Areas that are most likely to contain Native American cultural resources are:

- Along defined ridge lines and at saddles
- Flat ground near natural water (including terraces)
- Talus slopes
- Cedar tree stands containing older, scarred trees

For information on contacting tribes, visit the Washington State Tribal Directory at <http://www.goia.wa.gov>. Your DNR region office can also identify which tribe(s) to contact.

8. Signature Blocks:

The Landowner, Timber Owner, and Operator (as shown in Question 1) must EACH legibly print and sign their names and record the date of signature before this application can be accepted. If all three are the same, only the LANDOWNER box needs to be signed and dated. Stamped signatures and/or electronic signatures are not acceptable.